

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

VINCENT ROPER,

Petitioner,

v.

TIMOTHY WENGLER,

Respondent.

Case No. C08-5049BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on Petitioner's Habeas Corpus Petition. Dkt. 5. The Court having reviewed the Report and Recommendation of the Hon. J. Kelley Arnold, United States Magistrate Judge (Dkt. 16), objections to the Report and Recommendation (Dkt. 17), and the remaining record, does hereby find and order:

- (1) The Court adopts the Report and Recommendation; and
- (2) The Petition for Habeas Corpus relief is **DENIED**. This petition is unexhausted and procedurally barred.

DATED this 15th day of July, 2008.



BENJAMIN H. SETTLE
United States District Judge

ORDER